

**MINUTES OF LAYTON CITY  
COUNCIL SPECIAL MEETING**

**JUNE 27, 2013; 7:08 P.M.**

**MAYOR AND COUNCILMEMBERS  
PRESENT:**

**MAYOR J. STEPHEN CURTIS, MICHAEL  
BOUWHUIS, JOYCE BROWN, BARRY FLITTON  
AND JORY FRANCIS**

**ABSENT:**

**SCOTT FREITAG**

**STAFF PRESENT:**

**ALEX JENSEN, GARY CRANE, BILL WRIGHT,  
PETER MATSON, ALLEN SWANSON AND  
THIEDA WELLMAN**

**The meeting was held in the Council Chambers of the Layton City Center.**

Mayor Curtis opened the meeting and excused Councilmember Freitag. He led the Pledge of Allegiance. Councilmember Brown gave the invocation.

**MINUTES:**

**MOTION:** Councilmember Flitton moved and Councilmember Francis seconded to approve the minutes of:

**Layton City Council Work Meeting – May 16, 2013;  
Layton City Council Meeting – May 16, 2013;  
Layton City Council Work Meeting – June 6, 2013; and  
Layton City Council Meeting – June 6, 2013.**

The vote was unanimous to approve the minutes as written.

**MUNICIPAL EVENT ANNOUNCEMENTS:**

Councilmember Brown indicated that there would be a ribbon cutting ceremony this Saturday for the new splash pad at Ellison Park.

Councilmember Brown said this Sunday the City would begin the Liberty Days celebration with Voices of Liberty performing in the amphitheater. She said the Hometown Heroes would also be recognized that evening. Councilmember Brown said the July 4th activities were outlined on the City's website. She indicated that tomorrow was the last day to register for the fun run.

Mayor Curtis expressed appreciation to Councilmember Brown for her work as the liaison with the Parks and Recreation Commission.

**CONSENT AGENDA:**

**INTERLOCAL AGREEMENT WITH DAVIS COUNTY TO SHARE PROGRAM FUNDS  
PROVIDED BY THE 2013 EDWARD BYRNE MEMORIAL JOINT JUSTICE ASSISTANCE  
GRANT – RESOLUTION 13-34**

Allen Swanson, Assistant Police Chief, said Resolution 13-34 was the 2013 Edward Byrne Memorial Joint Justice Assistance Grant. He said Layton City and Davis County were in the process of submitting a joint application in the amount of \$16,945; Layton's portion would be \$15,245. Allen said the grant required that the two entities enter into an interlocal agreement regarding the distribution of the federal funds. He said Layton's portion of the grant would be used to buy equipment for a patrol car. Allen said Staff recommended

approval.

Councilmember Flitton asked if only one patrol car would receive the equipment.

Allen said it would be new equipment for a patrol car and the bid came in just under \$14,000. He said they would probably be able to purchase some extra equipment for another car as well.

Councilmember Francis said the City managed the funds; why didn't the County manage the fund.

Allen said the funds were first allocated to the State, based on three years of reporting on Part One Violent Crimes. He said the State was responsible to allocate the funds to the municipalities based on Part One Violent Crimes. Allen said over the years the grant had dwindled; in 2008 it was approximately \$123,000. He said in years past, Bountiful and Clearfield were involved with Layton in the grant. Allen said Layton was the only city in the County that received these funds, based on the State's recommendations. He said because the County handled law enforcement for three small cities in the County, they did not have enough statistics to ever be awarded a grant directly.

#### **APPOINTMENT TO BOARD OF ADJUSTMENT – AMBER L. CYPERS – RESOLUTION 13-23**

Gary Crane, City Attorney, said this item and the next item were appointments and reappointments to the Board of Adjustment and Planning Commission. He said under the City's ordinance, the Mayor made these appointments with the advice and consent of the Council. Gary said Resolution 13-23 would appoint Amber Cypers as a member of the Board of Adjustment. He said Staff recommended approval.

#### **RE-APPOINTMENTS AND APPOINTMENT TO THE PLANNING COMMISSION – WYNN HANSEN, DAWN FITZPATRICK AND ROBERT VAN DRUNEN – RESOLUTION 13-31**

Gary Crane said Resolution 13-31 would reappoint Wynn Hansen and Dawn Fitzpatrick to the Planning Commission, and appoint Robert Van Drunen as a new member of the Planning Commission. He said the City appreciated the service these residents provided and indicated that Staff recommended approval of Resolution 13-31.

Councilmember Francis said he sat in on the interviews for these appointments. He said they were both fantastic applicants, as were Wynn Hansen and Dawn Fitzpatrick.

**MOTION:** Councilmember Bouwhuis moved to approve the Consent Agenda as presented. Councilmember Brown seconded the motion, which passed unanimously.

#### **PUBLIC HEARINGS:**

#### **DEVELOPMENT AGREEMENT AND REZONE REQUEST – BRIGHTON HOMES, LLC – R-1-10 (SINGLE FAMILY RESIDENTIAL) AND R-M1 (LOW/MEDIUM DENSITY RESIDENTIAL) TO R-1-10 PRUD (SINGLE FAMILY RESIDENTIAL WITH THE PLANNED RESIDENTIAL UNIT DEVELOPMENT OVERLAY) AND R-M1 PRUD (LOW/MEDIUM DENSITY RESIDENTIAL WITH THE PLANNED RESIDENTIAL UNITY DEVELOPMENT OVERLAY) – APPROXIMATELY 2100 E. OAKRIDGE DRIVE – RESOLUTION 13-30 AND ORDINANCE 13-16**

Bill Wright, Community and Economic Development Director, said Resolution 13-30 involved a development agreement, and Ordinance 13-16 involved a rezone of properties located generally at 2100 East Oakridge Drive. He identified the property on a map, and indicated that the property was located east of the Foothills at Cherry Lane Subdivision.

Bill said the City believed that what was being presented this evening was a great solution and a superior development plan than what was contemplated earlier this year. He said the proposal included property owned by Brighton Homes, and multi-family zoned property owned by Matt and Jared Yeates. Bill said the

earlier proposal for the multi-family zoned property included an apartment building, which created some community concerns. He said there was a great effort performed by the two property owners to search for some alternative solutions to a development plan that would have provided a stark contrast between single family development and multi-family development. Bill said the City wanted to recognize the involvement of Matt and Jared Yeates and Brighton Homes for their efforts in working out this alternative.

Bill said the proposal required a zoning that would place the PRUD overlay across the entire development. He said the R-1-10 and R-M1 zoning would remain in place. Bill said the proposed concept plan included 28 single family homes that involved private streets, and a private lane that would access five home sites, and there would be common open space. He said the proposal would fit well with the General Plan that required lower density housing in this area.

Bill identified the location of a gas pipeline on the eastern portion of the property that would not allow for development over the pipeline easement. He said the easement provided for quite an encumbrance to the property and required some very innovative design solutions. Bill said there were six lots that would front along Oakridge Drive. He said the densities in this alternative plan were consistent with General Plan densities. Bill said there would be a connection into the existing Foothills at Cherry Lane Subdivision, which provided great connectivity.

Bill said without the change, there would likely be about 45 apartment units on the R-M1 property, and 9 single family lots that were approved on the R-1-10 property, or a total of 54 units. He said this new plan produced 28 single family dwelling units.

Bill said there were some concerns expressed at the Planning Commission with the homes that would front onto Oakridge Drive, and the backing movement that would need to occur from those driveways. Bill said Staff committed to work with the developer to explore options to reorient access, which they had done. He said at the conclusion of their study, they determined that an alley fed option would not be feasible and would not meet the open space requirements that came with the PRUD approval. Bill said the alley fed option was still included in the development agreement and could be explored further and presented through the PRUD approval process.

Bill said it was also committed to the Planning Commission that the Staff would work to study the issues of traffic safety and speed on Oakridge Drive, and develop some solutions to help minimize the issues and impacts of additional homes fronting onto Oakridge Drive. He said Oakridge Drive was a residential collector street and not an arterial, which allowed for direct access. Bill said there were a lot of direct access properties throughout the City on these types of streets. He said Staff was confident that through some striping the City could help define space on the road, and there would be some widening that would occur that would allow for on-street parking in front of the homes. Bill said the design would also help with reduction of speed in that area. He said Staff felt that this was a great alternative plan to what was originally proposed. Bill said the Planning Commission recommended approval and Staff supported that recommendation.

Councilmember Bouwhuis said the alley fed concept was intriguing to him. He asked if it would be a back-fed alley.

Bill said it would be an alley fed, back loading concept. He said it would take a lot of space to do that. Bill said that could be explored further, but right now the developer and Staff felt that a front access on the six homes would be needed, and the benefits of the entire development plan versus the apartment community outweighed any inconvenience that may exist. He said Staff did not feel that it was a safety issue that could not be mitigated.

Councilmember Bouwhuis said in reading through the comments from the Planning Commission meeting, that seemed to be the one comment that came up over and over again.

Council and Staff discussed the involvement of an HOA for the development.

Councilmember Bouwhuis asked who owned the 4-plexes in the area.

Bill said in this proposal, they would remain in the ownership of Matt and Jared Yeates. He said they would remain in the R-M1 zone without the PRUD overlay.

Council and Staff discussed connectivity in the area.

Councilmember Bouwhuis said this was an excellent compromise.

**Mayor Curtis opened the meeting for public input.** None was given.

**MOTION:** Councilmember Bouwhuis moved to close the public hearing and approve the development agreement and rezone request, Resolution 13-30 and Ordinance 13-16. Councilmember Francis seconded the motion, which passed unanimously.

**The meeting adjourned at 7:42 p.m.**

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Thieda Wellman, City Recorder